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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,337	08/02/2001	Katsumi Hirata	FUJY 18.896	4989

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EXAMINER

GEREZGIHER, YEMANE M

ART UNIT PAPER NUMBER

2144

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/921,337	<b>Applicant(s)</b> HIRATA, KATSUMI	
	<b>Examiner</b> Yemane M. Gerezgiher	<b>Art Unit</b> 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Response to the last office received on March 10, 2005 has been entered. Claims 1-19 remain pending in this application.

### ***Claim Objections***

1. Claim 6 is objected to because of the following informalities: The inventive entity makes a minor typographical error ("**fur**") (in Claim 6, Claim Line 3), which should be replaced with the term "for".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5, 9, 13, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi et al (U.S. Patent Number 6,567,851) hereinafter referred to as Kobayashi and further in view of Tang et al. (U.S. Patent Number 6,839,348) hereinafter referred to as Tang.

As per claim 1, A multicast system comprising: a client [Kobayashi, Fig. 2]; and a center system connected via a network to said client [Kobayashi, Fig. 2, 201 (Multicast-session management device, 201), Column 4, Lines 41-47], said client including: (A) a data transmission module for transmitting to said center system pieces of data that should be multicast [Column 4, Lines 48-51, and Column 5, Lines 5-11 & 40-42, Kobayashi disclosed receiving a multicast data transmitted from a source. Since the teachings of Kobayashi is performed in a computer system a module in the process of sending the multicast data was inherently disclosed]; and (B) a destination information notifying module for notifying said center system of destination information on a plurality of transmission destinations of the data [Kobayashi, Fig. 1, 102 (a destination address conversion module/unit), a Unicast data flow to the central multicast-session management device, Column 4, Lines 37-56, sending a data flow and destination information to the central multicast session management device], said center system including: (a) a receiving module for receiving the data and the destination information [Kobayashi, Fig. 1, 104 (a data exchange interface unit, receiving a data and destination address information) a unicast data flow from a host to the central multicast-session management device and Column 11, Lines 56-65 and Column 12, Lines 37-53]; (b) a generating module for generating a multicast group containing the plurality of transmission destinations on the basis of the destination information [Fig. 1, 102&103, Fig. 3, 302&303, Column 3, Lines 33-40, Kobayashi disclosed converting the

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destination address received with the data flow using the destination-conversion unit/module (102) into a multicast address (multicast group address) ]; and (c) a multicast module for multicasting the data to the plurality of transmission destinations in the generated multicast group [Fig. 2-7C, Kobayashi disclosed multicasting the data to the specified destinations].

Kobayashi substantially disclosed the invention as claimed. However, it is not clear whether the inventive entity (Kobayashi) creates a new multicast group. Kobayashi converts destination address to a multicast address and registers the multicast address for future use (). Based on the registration step, it is highly probable that the teachings of Kobayashi disclosed creation of a multicast group (address).

Nonetheless, as evidenced by the teachings of Tang, creation of a multicast group was known in the art at the time the invention was made. See Tang, Figs. 3-7 and Column 14, Lines 51-66. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Tang related to creation of a multicast group and have modified the teachings of Kobayashi related to a multicast data transmission in order to facilitate effective distribution of multicast messages in a communication network.

Claims 5, 9 and 16 have substantially similar limitation as in claim 1 above. Thus, they are rejected with the same rationale.

As per claim 13, Kobayashi disclosed a data are categorized as a data file [Column 7, Lines 1-14].

As per claim 14, Kobayashi disclosed a data are categorized as stream data [Column 7, Lines 1-14].

4. Claims 2-4,6-8, 10-12, 15 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Kennedy et al. (US 20020111911 A1) hereinafter referred to as Kennedy.

As per claims 2-4,6-8, 10-12 and 17-19, the teachings of Kobayashi substantially disclosed the invention as claimed. However, Kobayashi was silent about a central system with a list-providing module for providing or transmitting a destination selection list to a client; a client to select destination information and transmit to the central system and at the central system/controller receiving the user selected distribution list having therein a plurality of destination addresses indicating to where the data is to be distributed.

However, as evidenced by the teachings of Kennedy, a central system with a list-providing module for providing or transmitting a destination selection list to a client; a client to select destination information and transmit to the central system and at the central system/controller receiving the user selected distribution list having therein a plurality of destination addresses indicating to where the data is to be distributed was known in the art at the

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time the invention was made. See Figs. 1-5, Page 3, ¶0038-0039, Page 4, ¶0045, and Page 3, ¶0041-0043. Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Kennedy related to a document distribution in a multicast fashion including a central system providing a destination option list to the client and receiving the client selection along with the document desired to be multicast to the selected destination addresses and have modified the teachings of Kobayashi in order to provide a user with an option to control addressee of the multicast data.

As per claim 15, Kobayashi was silent about a multicasting data via a satellite link. However, multicasting via a satellite was commonly known at the time the invention was made. For example, see U.S. Patent Number 6,101,180 issued to Donahue et al. Donahue disclosed multicasting via satellite (Abstract and Fig. 2). Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Donahue and have modified the already combined teachings of RRRR, because "Satellite transmission is extremely cost effective for broadcasting signals to multiple destinations and is inherently synchronous (data is transmitted at precise intervals)". See Donahue, Column 11, Lines 61-63.

### ***Response to Arguments***

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5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Shawcross (US 6880090 B1) entitled: "Method and system for protection of internet sites against denial of service attacks through use of an IP multicast address hopping technique" Shawcross disclosed MDHCP (Multicast Dynamic Host control protocol) requesting a multicast address (group address) from MASS (Multicast Address Allocation Servers)
- b. Hagirahim et al. (US 6751218 B1) entitled: "Method and system for ATM-coupled multicast service over IP networks" Hagirahim disclosed multicasting data to plurality of destinations over IP networks.
- c. Astley et al. (US 6728715 B1) entitled: "Method and system for matching consumers to events employing content-based multicast routing using approximate groups" Astley disclosed constructing multicast groups required for a particular application for distributing multicast data to subscribers/destinations.



- d. Chaddha (US 6728775 B1) entitled: "Multiple multicasting of multimedia streams"
- e. Civanlar et al. (US 6483832 B1) entitled: "IP multicast over routed ATM network using lane" Civanlar disclosed creating a multicast group.
- f. Putzolu (US 6359902 B1) entitled: "System for translation and delivery of multimedia streams"
- g. Okada (US 20020012327 A1) entitled: "System and method of communications control"
- h. DeSimone et al. (US 6138144 A) entitled: "Method for managing multicast addresses for transmitting and receiving multimedia conferencing information on an internet protocol (IP) network implemented over an ATM network"
- i. Donahue et al. (US 6101180 A) entitled: "High bandwidth broadcast system having localized multicast access to broadcast content" Donahue disclosed multicast system involving a satellite multicasting.
- j. Andrews et al. (US 5835723 A) entitled: "Dynamic assignment of multicast addresses"

#### **Non-Patent Literature**

- k. Brian et al., "The case for reliable concurrent multicasting using shared ACK trees", Feb. 1997, Proceedings of the fourth ACM international conference on Multimedia.

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- l. Gopal et al., "Multicasting to multiple groups over broadcast channels", Computer Networking Symposium, 1988, Proceedings of the 11-13 April 1988, Page(s): 79 - 81

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemane M. Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached at (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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